



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

James J. Golden
Regional Director

VIRGINIA WASTE MANAGEMENT BOARD ENFORCEMENT ACTION - ORDER BY CONSENT ISSUED TO INTEGRATED GLOBAL SERVICES, INC. EPA ID No. VAD185479953

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code § 10.1-1455, between the Virginia Waste Management Board, and Integrated Global Services, Inc., for the purpose of resolving certain violations of the Virginia Waste Management Act and the applicable regulations.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "Board" means the Virginia Waste Management Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and -1401.
2. "CEI" means compliance evaluation inspection.
3. "CESQG" means a conditionally exempt small quantity generator of hazardous waste, a generator of less than 100 kilograms (220 lbs) of hazardous waste in a month and meeting the other restrictions of 40 CFR § 261.5 and 9 VAC 20-80-120(A).
4. "CFR" means the Code of Federal Regulations, as incorporated into the Regulations.
5. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.

6. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
7. "Facility" or "Site" means IGS' Facility located at 7600 White Pine Road, Richmond, Virginia.
8. "Generator" means person who is a hazardous waste generator, as defined by 40 CFR § 260.10.
9. "Hazardous Waste" means any solid waste meeting the definition and criteria provided in 40 CFR § 261.3.
10. "IGS" means Integrated Global Services, Inc., a corporation authorized to do business in Virginia and its affiliates, partners, and subsidiaries. IGS is a "person" within the meaning of Va. Code § 10.1-1400.
11. "LQG" means large quantity generator, a hazardous waste generator that generates 1000 kilograms (2200 pounds) or greater of hazardous waste in a calendar month and meets other restrictions. *See* 40 CFR § 262.34(a)-(b) and (g)-(l).
12. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 10.1-1455.
13. "Order" means this document, also known as a "Consent Order" or "Order by Consent."
14. "PRO" means the Piedmont Regional Office of DEQ, located in Glen Allen, Virginia.
15. "Regulations" or "VHWMR" means the Virginia Hazardous Waste Management Regulations, 9 VAC 20-60-12 *et seq.* Sections 20-60-14, -124, -260 through -266, -268, -270, -273, and -279 of the VHWMR incorporate by reference corresponding parts and sections of the federal Code of Federal Regulations (CFR), with the effected date as stated in 9 VAC 20-60-18, and with independent requirements, changes, and exceptions as noted. In this Order, when reference is made to a part or section of the CFR, unless otherwise specified, it means that part or section of the CFR as incorporated by the corresponding section of the VHWMR. Citations to independent Virginia requirements are made directly to the VHWMR.
16. "Solid Waste" means any discarded material meeting the definition provided in 40 CFR § 261.2.
17. "SQG" means a small quantity generator, a hazardous waste generator that generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month and meets other restrictions. *See* 40 CFR § 262.34(d)-(f).
18. "Va. Code" means the Code of Virginia (1950), as amended.

19. "VAC" means the Virginia Administrative Code.

20. "Virginia Waste Management Act" means Chapter 14 (§ 10.1-1400 *et seq.*) of Title 10.1 of the Va. Code. Article 4 (Va. Code §§ 10.1-1426 through 10.1-1429) of the Virginia Waste Management Act addresses Hazardous Waste Management.

SECTION C: Findings of Fact and Conclusions of Law

1. IGS owns and operates the Facility in Richmond, Virginia. IGS performs thermal spray coating on process equipment and tanks. The majority of the work done by the company is done in the field, and hazardous wastes remain at the site of generation. However, small projects and pilot scale test projects are conducted at this facility. The process involves blasting a surface clean (if necessary), shooting molten metal onto the surface with an electrical current. This heating of the molten metal can produce chromium dust, which is filtered from the air through a filtration unit, and transferred into waste drums (waste drums are to be labeled hazardous if the TCLP shows the waste material to be at the action level). Operations at the Facility are occasionally subjected to the Virginia Waste Management Act and the Regulations.
2. This location originally notified of Hazardous Waste Activity on March 13, 1989 as a CESQG when American Filtrona operated here. American Filtrona left the location in 2009, and deactivated their EPA ID# by notification dated May 1, 2009. IGS first notified as a CESQG on August 12, 2015. Based on the notification, IGS became the operator at the location in January 2014 and was issued EPA ID No. VAD185479953 for the Facility. Based on manifests reviewed, IGS reached LQG status in May 31, 2016; however, no manifests were available for review prior to March 2016.
3. At the Facility, IGS generates chromium dust which is a solid waste. Chromium dust is also a hazardous waste – a D007 listed waste as described in 40 CFR §261 Subpart C. This hazardous waste is accumulated in containers at the Facility after its generation.
4. On May 24, 2017, DEQ staff conducted a CEI of the Facility to evaluate compliance with the Regulations. In addition, documents provided to DEQ during the course of the inspection were reviewed. Based on the inspection and follow-up information, Department staff made the following observations:
 - a. IGS notified as a CESQG in 2015, but has been operating as a Large Quantity Generator (LQG) since at least 2016. IGS has not properly counted wastes and determined its generator status.

40 CFR §261.5(c) and (d) state, "§261.5 (c) When making the quantity determinations of this part and 40 CFR part 262, the generator must include all hazardous waste that it generates, except hazardous waste that: (1) Is exempt

from regulation under 40 CFR 261.4(c) through (f), 261.6(a)(3), 261.7(a)(1), or 261.8; or (2) Is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities as defined in 40 CFR 260.10; or (3) Is recycled, without prior storage or accumulation, only in an on-site process subject to regulation under 40 CFR 261.6(c)(2); or (4) Is used oil managed under the requirements of 40 CFR 261.6(a)(4) and 40 CFR part 279; or (5) Is spent lead-acid batteries managed under the requirements of 40 CFR part 266, subpart G; or (6) Is universal waste managed under 40 CFR 261.9 and 40 CFR part 273; (7) Is a hazardous waste that is an unused commercial chemical product (listed in 40 CFR part 261, subpart D or exhibiting one or more characteristics in 40 CFR part 261, subpart C) that is generated solely as a result of a laboratory clean-out conducted at an eligible academic entity pursuant to §262.213. For purposes of this provision, the term eligible academic entity shall have the meaning as defined in §262.200 of Part 262. (d) In determining the quantity of hazardous waste generated, a generator need not include: (1) Hazardous waste when it is removed from on-site storage; or (2) Hazardous waste produced by on-site treatment (including reclamation) of his hazardous waste, so long as the hazardous waste that is treated was counted once; or (3) Spent materials that are generated, reclaimed, and subsequently reused on-site, so long as such spent materials have been counted once.

- b. The previous notification for this location (submitted 8/12/2015) identified IGS as a CESQG of hazardous waste. Based upon the manifests available for review, IGS became a LQG of hazardous waste in May 2016 and did not notify DEQ of the episodic generation or change in generator status. Based on manifests reviewed during the inspection (see manifest summary on the Survey Sheet), IGS has been acting as an LQG in 2017, and did not re-notify when they met the LQG criteria.

9VAC 20-60-315.D of the VHWMR states, "Anyone who becomes a large quantity generator shall notify the department in writing immediately of this change in status and document the change in the operating record."

- c. The filtration system satellite accumulation area consists of six hoppers with a single drum stationed underneath each hopper. The hazardous waste is "generated" at the point where it exits the process equipment, which is at the exit of the hoppers. This area does not meet the definition of a satellite accumulation area since greater than 55-gallons of hazardous waste is being accumulated. Therefore, the area is a 90 day hazardous waste accumulation area. IGS also accumulates hazardous waste drums for 90 days at the rear of the Facility near the Conex boxes. IGS had not notified the Department of the exact location of all 90 day accumulation areas at the Facility.

9VAC 20-60-262(B) states, in part In all locations in these regulations where 40 CFR Part 262 is incorporated by reference, the following additions,

modifications, and exceptions shall amend the incorporated text for the purpose of its incorporation into these regulations:... 4. For accumulation areas established after March 1, 1988, generators must notify the department and document in the operating record that he intends to accumulate hazardous waste in accordance with 40 CFR 262.34 prior to or immediately upon the establishment of each 90-day accumulation area. In the case of a new large quantity generator who creates such accumulation areas after March 1, 1988, generators must notify the department at the time the generator files the Notification of Hazardous Waste Activity that he intends to accumulate hazardous waste in accordance with 40 CFR 262.34. This notification shall specify the exact location of the 90-day accumulation area at the site.

- d. The six 55-gallon drums at the filtration system accumulation area were not labeled with the words hazardous waste.

40 CFR §262.34(a)(3) states, "Accumulation time. (a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that: (2) While begin accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste".

- e. The six 55-gallon drums at the filtration system accumulation area were not labeled with the date that hazardous waste accumulation began. Additionally, some of the containers in the 90-day accumulation area near the Conex boxes were also not dated.

40 CFR §262.34(a)(2) states, "Accumulation time. (a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that: (2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container."

- f. IGS did not have a written training program meeting the requirements of 40 CFR 265.16(d)(3).

40 CFR §265.16 states, "Personnel training. (a)(1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their [hazardous waste] duties in a way that ensures the facility's compliance with the requirements of this part. The owner or operator must ensure that this program includes all the elements described in the document required under paragraph d(3) of this section."

- g. According to the Facility representative, training that is provided to Facility personnel was not directed by a person trained in hazardous waste management

procedures, and does not include instruction which teaches Facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. The training that is provided also does not include procedures for using, inspecting, repairing and replacing Facility emergency and monitoring equipment.

40 CFR §265.16 states, "Personnel training. (a)(1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this part. The owner or operator must ensure that this program includes all the elements described in the document required under paragraph (d)(3) of this section. (2) This program must be directed by a person trained in hazardous waste management procedures, and must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. (3) At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including where applicable: (i) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; (ii) Key parameters for automatic waste feed cut-off systems; (iii) Communications or alarm systems; (iv) Response to fires or explosions; (v) Response to ground-water contamination incidents; and (vi) Shutdown of operations."

- h. IGS did not have a contingency plan meeting the requirements of VHWMR 265.51.

40 CFR §265.51 states, "Purpose and implementation of contingency plan. (a) Each owner or operator must have a contingency plan for his facility. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. (b) The provisions of the plan must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment."

- i. IGS did not have an appointed hazardous waste emergency coordinator who meets the requirements of VHWMR 265.55.

40 CFR §265.55 states, "Emergency coordinator. At all times, there must be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator must be thoroughly familiar with all aspects of the

facility's [hazardous waste] contingency plan, all operations and activities at the facility, the location and characteristics of waste handled, the location of all records within the facility, and the facility layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan."

- j. A copy of the contingency plan was not maintained on site, and had not been submitted to state and local authorities.

40 CFR §265.53 states, "Copies of contingency plan. A copy of the contingency plan and all revisions to the plan must be: (a) Maintained at the facility; and(b) Submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services."

- k. IGS had not made prior arrangements to familiarize emergency response teams with the layout of the Facility and associated hazards, and IGS did not have documentation to show that these authorities have declined to enter into such an agreement.

40 CFR §265.37 states, "Arrangements with local authorities.(a) The owner or operator must attempt to make the following arrangements, as appropriate for the type of waste handled at his facility and the potential need for the services of these organizations:(1) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;(2) Where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;(3) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and (4) Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility. (b) Where State or local authorities decline to enter into such arrangements, the owner or operator must document the refusal in the operating record."

- l. Hazardous waste containers being accumulated in the 90 day Conex box accumulation area were clustered in such a way that the inspectors could not inspect interior containers, and could not observe hazardous waste labels or accumulation dates on the interior containers. Hazardous waste containers and non-hazardous waste containers were commingled making it difficult to determine which wastes were hazardous wastes. Aisle space to allow the

unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment was not observed.

40 CFR §265.35 states: "Required aisle space. The owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes."

- m. IGS did not have a written inspection plan.

40 CFR §265.15 states, "(b)(1) The owner or operator must develop and follow a written schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards. (2) He must keep this schedule at the facility. (3) The schedule must identify the types of problems (e.g., malfunctions or deterioration) which are to be looked for during the inspection (e.g., inoperative sump pump, leaking fitting, eroding dike, etc.). (4) The frequency of inspection may vary for the items on the schedule. However, the frequency should be based on the rate of deterioration of the equipment and the probability of an environmental or human health incident if the deterioration, malfunction, or operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, must be inspected daily when in use... At a minimum, the inspection schedule must include the items and frequencies called for in §§265.174, 265.193, 265.195, 265.226, 265.260, 265.278, 265.304, 265.347, 265.377, 265.403, 265.1033, 265.1052, 265.1053, 265.1058, and 265.1084 through 265.1090, where applicable. (c) The owner or operator must remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action must be taken immediately."

- n. No documented inspections of the 90 day hazardous waste accumulation areas were being conducted, and no log was being maintained.

40 CFR §265.15 states, "General inspection requirements. (a) The owner or operator must inspect his facility for malfunctions and deterioration, operator errors, and discharges which may be causing—or may lead to: (1) Release of hazardous waste constituents to the environment or (2) a threat to human health. The owner or operator must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment. (c) The owner or operator must remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human

health hazard. Where a hazard is imminent or has already occurred, remedial action must be taken immediately. (d) The owner or operator must record inspections in an inspection log or summary. He must keep these records for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions."

40 CFR §265.174 states, "Inspections At least weekly, the owner or operator must inspect areas where containers are stored... The owner or operator must look for leaking containers and for deterioration of containers caused by corrosion or other factors."

- o. At the time of the inspection, the DEQ inspectors were provided with manifests dated 3/28/2016, 5/31/2016 and 4/5/2017 after having requested copies of manifests from the last three years. IGS did not have any manifests from before 3/2016, and manifests dated 10/2016 and 2/2017 that were later provided to DEQ by Envirosafe Services were not observed at the Facility during the inspection. Signed copies of the manifests for 3/28/2016, 5/31/2016, and 4/5/2017 were also not available for review at the Facility. On 6/13/2017, Mr. Curry met with DEQ staff and presented copies of manifests from 10/2/2015, 10/13/2015, and 5/12/2016.

40 CFR §262.23 states, "Use of the manifest.(a) The generator must: (1) Sign the manifest certification by hand; and (2) Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest; and (3) Retain one copy, in accordance with §262.40(a)." 40 CFR §262.40 states, "Recordkeeping. (a) A generator must keep a copy of each manifest signed in accordance with §262.23(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter."

- p. Signed copies of the manifests for 3/28/2016, 5/31/2016, and 4/5/2017 were also not available for review at the Facility. Exception reports were not filed for manifests for which a copy of the signed manifest had not been received from the designated facility within 45 days of the date the waste was accepted by the initial transporter.

40 CFR §262.42 states, "Exception reporting. (a)(1) A generator of 1,000 kilograms or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in §261.31 or §261.33(e) in a calendar month, who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter must contact the transporter and/or the owner or operator of the designated facility to determine the status of the

hazardous waste. (2) A generator of 1,000 kilograms or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in §261.31 or §261.33(e) in a calendar month, must submit an Exception Report to the EPA Regional Administrator for the Region in which the generator is located if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter."

- q. No copies of LDR notifications were immediately available for review at the Facility. The inspector later obtained a copy of the initial certification from EnviroSAFE Services dated 5/2016. However, IGS did not have a copy available for review at the time of the inspection.

40 CFR §268.7 requires generators of hazardous waste to determine if the waste has to be treated before it can be land disposed and outlines tracking and recordkeeping requirements. 40 CFR §265.74 Availability, retention, and disposition of records. (a) All records, including plans, required under this part must be furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of EPA who is duly designated by the Administrator. (b) The retention period for all records required under this part is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the Administrator.

5. On July 5, 2017, based on the inspection and follow-up information, the Department issued Notice of Violation No. 2017-07-PRO-602 to IGS citing them for the violations observed at the May 24, 2017 CEI. IGS responded to the NOV that same day with a copy of the employee training plan, the hazardous waste storage area inspection checklist and an adjusted contingency plan for the Facility.
6. On August 8, 2017, Department staff met with representatives of IGS to discuss the NOV and the issuance of a Consent Order. During the meeting IGS provided documentation of payment of the LQG fee and the previously submitted documents were discussed. The contingency plan and inspection checklist was suitable for approval and DEQ agreed to provide e-mail comments on issues with the training program after the meeting. IGS obtained the missing signed manifests.
7. Based on the results of the May 24, 2017 inspection, the August 8, 2017 meeting, and/or the documentation submitted on July 5 and August 8, 2017, the Board concludes that IGS has violated 40 CFR §261.5 & 262.13, 9 VAC 20-60-315(D), 9 VAC 20-60-262(B), 40 CFR §262.34(a)(3), 40 CFR §262.34(a)(2), 40 CFR §265.16(d)(3), 40 CFR §265.16(a)(2), 40 CFR §265.51, 40 CFR §265.55, 40 CFR §265.53, 40 CFR §265.37, 40 CFR §265.35, 40 CFR §265.15(b)(1), 40 CFR §265.15 & , 40 CFR §265.174, 40 CFR §262.23, 40 CFR §262.40, 40 CFR §262.42, 40 CFR §268.7 & 40 CFR §265.74, as described in paragraph C4 above.

8. IGS has submitted documentation that verifies AND/OR DEQ staff inspected the Facility on May 24th 2017, and verified that the violations described above, have been corrected.
9. In order for IGS to complete its return to compliance, DEQ staff and representatives of IGS have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code § 10.1-1455, the Board orders IGS, and IGS agrees to:

1. Perform the actions described in Appendix A of this Order; and
2. Pay a civil charge of \$43,140 within 30 days of the effective date of the Order in settlement of the violations cited in this Order.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

IGS shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF). If the Department has to refer collection of moneys due under this Order to the Department of Law, IGS shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of IGS for good cause shown by IGS, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2)

seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce the Order.

3. For purposes of this Order and subsequent actions with respect to this Order only, IGS admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein
4. IGS consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. IGS declares it has received fair and due process under the Administrative Process Act and the Virginia Waste Management Act and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by IGS to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. IGS shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other occurrence. IGS shall show that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. IGS shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:
 - a. the reasons for the delay or noncompliance;
 - b. the projected duration of any such delay or noncompliance;
 - c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and
 - d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the IGS intends to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto, their successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and IGS.
11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after IGS has completed all of the requirements of the Order;
 - b. IGS petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. The Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to IGS.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve IGS from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by IGS and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. The undersigned representative of IGS certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind IGS to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of IGS.
14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.
15. By its signature below, IGS voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 2nd day of AUGUST, 2018.



Kyle Ivar Winter, P.E.
Department of Environmental Quality
Piedmont Deputy Regional Director

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Integrated Global Services, Inc. voluntarily agrees to the issuance of this Order.

Date: 06/04/18 By: R. Y. Fox, Director, TSNA
(Person) (Title)
Integrated Global Services, Inc.

Commonwealth of Virginia

City/County of Chesterfield

The foregoing document was signed and acknowledged before me this 4th day of June, 2018, by Rick Fox who is Director, TSNA of Integrated Global Services, Inc., on behalf of the corporation.

Andrea Pitman
Notary Public

7760653
Registration No.

My commission expires: 3/31/2022

Notary seal:



APPENDIX A SCHEDULE OF COMPLIANCE

IGS shall

1. On or before June 15, 2018, submit to the Department for review and approval a formal written inspection plan. IGS shall respond to any notices of deficiency with respect to the inspection plan in accordance with the notice. Once approved, IGS shall implement the approved inspection plan.
2. On or before June 30, 2018, submit to the Department for approval a training plan prepared in accordance with 40 CFR §265.16. IGS shall respond to any notices of deficiency with respect to the training plan in accordance with the notice. Once approved, IGS shall utilize the approved training plan.
3. Unless otherwise specified in this Order, IGS shall submit all requirements of Appendix A of this Order to:

Frank Lupini
Enforcement Specialist
VA DEQ
P.O. Box 1105,
Richmond, Virginia 23218
Frank.Lupini@deq.virginia.gov